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**HOUSE BILL 303**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Di anne Miller Hamilton**

**AN ACT**

**RELATING TO MOTOR VEHICLES; PROVIDING AN EXTENSION OF THE EXPIRATION DATE OF VALID DRIVER'S LICENSES FOR MILITARY MEMBERS AND SPOUSES STATIONED AWAY FROM NEW MEXICO; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. A new section of Chapter 66, Article 5 NMSA 1978 is enacted to read:**

**"[NEW MATERIAL] EFFECT OF MILITARY SERVICE ON DRIVER'S LICENSE. --**

**A. Unless the license is suspended, canceled or revoked as provided by law, a driver's license issued by this state that is held by a person who is on active duty in the armed forces of the United States and is absent from this state, or is in this state only on leave status, remains valid**

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1 beyond the expiration date of the license.

2 B. If the person benefiting from this section is  
3 reassigned to this state or is discharged from military  
4 service, the driver's license remains valid until the thirty-  
5 first day after the person's return to this state or discharge.

6 C. A person benefiting from this section shall also  
7 show valid military identification or discharge documents when  
8 asked to show a driver's license.

9 D. The provisions of this section also apply to a  
10 spouse accompanying a person benefiting from this section. "

11 Section 2. Section 66-5-4 NMSA 1978 (being Laws 1978,  
12 Chapter 35, Section 226, as amended) is amended to read:

13 "66-5-4. PERSONS EXEMPT FROM LICENSURE. --The following  
14 persons are exempt from licensure under the Motor Vehicle Code:

15 A. any employee of the United States while driving  
16 a motor vehicle owned by or leased to the United States and  
17 being driven on official business;

18 B. any person who is at least fifteen years of age  
19 and who has in his immediate possession a valid driver's  
20 license issued to him in his home state or country may drive a  
21 motor vehicle in this state, except that the person shall  
22 obtain a license upon becoming a resident and before he is  
23 employed for compensation by another for the purpose of driving  
24 a motor vehicle;

25 C. any nonresident who is at least eighteen years

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1 of age whose home state or country does not require the  
2 licensing of drivers may drive a motor vehicle for a period of  
3 not more than one hundred eighty days in any calendar year if  
4 the motor vehicle driven is duly registered in the home state  
5 or country of the nonresident;

6 D. any driver of a farm tractor or implement of  
7 husbandry temporarily drawn, moved or propelled on the highway;  
8 and

9 E. any driver of an off-highway motorcycle [and

10 ~~F. any person in the military service of the United~~  
11 ~~States or who has been honorably discharged therefrom within~~  
12 ~~thirty days when:~~

13 ~~(1) he holds a driver's license of this state~~  
14 ~~not more than six years old which has expired while the holder~~  
15 ~~was in service;~~

16 ~~(2) he is stationed outside the geographical~~  
17 ~~limits of this state;~~

18 ~~(3) he is on leave from military service; and~~

19 ~~(4) only while operating a motor vehicle in~~  
20 ~~this state]. "~~